

CONFIDENTIAL FOR AGENCY USE ONLY
Department of Services for the Blind
Case Note

GARCIA v. WALMART, INC.
EXHIBIT
140
CASE NO. 1:22-cv-3003

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. General

Entry Date 07/24/2019
Author Davis, Brooke
Category Information/ Issues/ Concerns/ Complaints
Share Note No

2. Note

Summary Call from Daniel re: his case update

Received a call from Daniel indicating that he has filled out additional paperwork to go on disability/leave of absence with Walmart. He has not yet lost his job, but he is concerned that it is coming. He is not sure how to handle his mortgage and if he should pull money from his 401K to try to keep up. VRC referred him to his financial advisor and will need to make a decision with that information. He asked if VRC received all the medical yet. Let him know that we have not and have called them to ask again. He will contact Casey Eye to see if they can be sent.

3. Activities Provided

No items selected

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GARCIA v. WALMART, INC.
EXHIBIT
141
CASE NO. 1:22-cv-3003

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. General

Entry Date 07/25/2019
Author Davis, Brooke
Category Correspondence
Share Note No

2. Note

Summary Call from Daniel with update on medical

Received a call from Daniel stating that he spoke to Casey Eye and they state that they do not have a request for records from VRC/DSB. VRC looked in his file and found the release and request made on 7/8. VRC will re-request. Also let him know that VRC has not received any medical other than Walmart. He will call Dr. Sung as well as Proliance to ask that they send records.

3. Activities Provided

No items selected

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GARCIA v. WALMART, INC.
EXHIBIT
142
CASE NO. 1:22-cv-3003

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. General

Entry Date 08/07/2019
Author Davis, Brooke
Category Exception To Policy
Share Note No

2. Note

Summary Request for immediate services - job in jeopardy

Daniel applied for VR services on 7/8/19 due to his job being in jeopardy at Walmart. He has been diagnosed with Severe Early Childhood Onset Retinal Dystrophy (SECORD). His acuities are listed as OD NLP and OS 20/125-1 and his peripheral vision is pinpoint per Casey Eye Institute. He has been determined eligible for services in Priority 1.

Daniel has been employed with Walmart in Sunnyside, having gotten his job through a program to assist those with disabilities in obtaining employment, for approximately 24 years per his report. He has recently been called in to his supervisor's office and told that he was no longer able to perform his job due to his vision. Daniel reports that they cited his slower production and need for assistance from other employees to read the stock labels. He indicates that his job duties have not changed, and his vision has only gotten slightly worse. Daniel argued this and has been allowed to continue as an employee. However, he has been on "medical leave" since June, in an attempt to preserve his employment and seek possible alternate medical treatment. His options for treatment have now been exhausted and he has applied for additional leave while seeking assistance from DSB to maintain his employment. He is in imminent danger of losing his job due to his vision issues.

Daniel's only assistive equipment at this point is a magnifying glass that he purchased for himself and requires him to work with one hand when using it. He also has a long white cane, but has had no training for proper use. It is believed that he will benefit from a thorough job site evaluation for accommodations such as a low vision evaluation, assistive technology evaluation, as well as vocational counselor to advocate for Daniel with the employer directly.

VRC is requesting an exception to policy to allow immediate services for Daniel to assist in preserving his employment.

3. Activities Provided

No items selected

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Department of Services for the Blind

Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. Service Description

Actual Service ID 5333
Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call to Daniel to let him know he is eligible and in services

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.25
Start Date 08/07/2019
End Date 08/07/2019
Outcome Completed Goals Achieved

4. Other Information

Comments

Called Daniel and explained that he has been pulled from the waitlist as an exception to policy due to his job being in jeopardy. VRC asked what the current situation is. He stated that he is still on leave. VRC would like to set up a meeting with the employer, but would like him to call first and let them know that VRC is involved. He indicated that that would be fine and he works with Maria In Personnel. Her number is 509-839-7739 x0. VRC will then call her in the morning.

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Department of Services for the Blind

Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. Service Description

Actual Service ID 5334
Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Return call from Daniel re: Walmart

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.25
Start Date 08/07/2019
End Date 08/07/2019
Outcome Completed Goals Achieved

4. Other Information

Comments

Call from Daniel indicating that he called Walmart and Maria is no longer with the company. He talked to someone else and the new contact is Layli at the same number. They are aware that VRC will be calling in the morning. VRC agreed to call in the morning and then let him know what VRC was able to set up.

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CASE NO. 1:22-cv-3003

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. General

Entry Date 08/08/2019
Author Davis, Brooke
Category Action Taken
Share Note No

2. Note

Summary Called Walmart re: meeting

Called Walmart and asked for Layli. VRC was told that they were not taking calls. VRC explained purpose of the call without disclosing the customer. She checked and learned that Layli is not in today. Left a message for her to call.

3. Activities Provided

No items selected

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Department of Services for the Blind

Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. Service Description

Actual Service ID 5422
Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call from Dan re: Walmart lack of contact

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.25
Start Date 08/13/2019
End Date 08/13/2019
Outcome Completed Goals Achieved

4. Other Information

Comments

Call from Dan asking if VRC had heard from Walmart. VRC has not. Let him know what happened when VRC called. He has been having trouble getting ahold of them too. Let him know that VRC can stop through in person tomorrow on the way to the Tri-Cities. He will call today and let them know that VRC is coming and stated that VRC can also ask for assistant manager Jackie.

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Actual Service**Participant** Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan**Participant ID** 1687**1. Service Description****Actual Service ID** 5488
Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Meeting with Laly at Walmart re: accommodation**2. Service Provider****Service Provider** Davis, Brooke**3. Service Detail****Units** 1.75
Start Date 08/14/2019
End Date 08/14/2019
Outcome In Progress**4. Other Information****Comments**

Traveled to Walmart in Sunnyside and asked to speak to Laly in personnel. Laly was able to meet with VRC and VRC explained why I was there and what the purpose of DSB services was in terms of saving his job. Laly let VRC know that the previous day Dan had been denied for FMLA leave. Let her know that Dan really wants to return to work and there are a lot of things that can be done, with no cost to them, to provide him adequate accommodation. Explained the process of that and that evaluation would be done by DSB staff. She indicated that Dan is a good and long term employee that they are hoping to keep. She needs to talk to the store manager who was not available. It was agreed that she would talk to the manager and then contact VRC by 8/19 to follow up. VRC thanked her for her time and seeing VRC without an appointment.

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Department of Services for the Blind

Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. Service Description

Actual Service ID 5676
Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description LATE NOTE: 8/15 Call from Lali about Dan

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.25
Start Date 08/19/2019
End Date 08/19/2019
Outcome Completed Goals Achieved

4. Other Information

Comments

Received a call from Lali at Walmart stating that they talked to Dan and that when he was told that they did not think that they had work for him he resigned. Lali talked to the manager and they are willing to have a meeting, but do not think that there is any work for a blind person in the store. VRC reminded them that persons who are blind can perform 80% of jobs in the labor market. Lali did not have an answer for that, but agreed to set up a meeting with the manager and call VRC back. VRC agreed to talk to Dan about this.

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Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Davis, Brooke

Participant ID 1687

1. Service Description

Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call from Dan about Walmart

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.50
Start Date 08/22/2019
End Date 08/22/2019
Outcome In Progress

4. Other Information

Comments

Received a call from Dan asking if VRC had scheduled with Walmart. VRC gave him an update and that VRC was told that he had quit his job. He indicated that that was not the case at all. He indicated that he was told resign as they did not have work for him and he refused to do so. VRC has not heard from Walmart since last week and no appt. was scheduled with the manager. Dan talked to them today again and he stated that the decision will be reversed and he will get his disability time. They were waiting for the doctor to respond. VRC agreed to call Walmart and attempt to talk to them about setting up a meeting. Dan reiterated that he will not resign.

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Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Davis, Brooke

Participant ID 1687

1. Service Description

Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call from Daniel re: contact with Walmart

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.50
Start Date 08/27/2019
End Date 08/27/2019
Outcome In Progress

4. Other Information

Comments

Received a call from Dan re: my contact with Walmart. Let him know that VRC had left a message for Lali and heard nothing. He was upset that they told VRC that he quit. He vehemently denied this and stated that when he was asked to give two weeks notice because Lali stated that they did not have any work for him, he refused. He also clarified that he initially refused to fill out ADA paperwork, but eventually did. Lali indicated to VRC that this was never done. He stated that when he went to Walmart they indicated that they were waiting for VRC to schedule meeting with them. VRC let him know that they had not returned VRC's calls. Will call again.

VRC called and left another message for Lali.

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Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Davis, Brooke

Participant ID 1687

1. Service Description

Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call from Daniel for update

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.50
Start Date 09/04/2019
End Date 09/04/2019
Outcome In Progress

4. Other Information

Comments

Call from Dan asking if VRC had heard from Walmart. VRC had not and was not able to stop by yesterday due to other appointments running long. Can try again on 9/11. He has not heard anything either and is upset that they are basically not responding and not addressing the issues at all. Basically he feels ignored. In the meantime, he is trying to determine how to keep his home as he is not sure how he will make the payments. VRC will also not just talk to personnel, but also attempt to contact Cynthia the manager or Jackie the assistant manager to see if any of the information has been conveyed to them. Will report back as soon as VRC hears anything.

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Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Davis, Brooke

Participant ID 1687

1. Service Description

Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call from Daniel re: contact with Walmart

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.75
Start Date 09/23/2019
End Date 09/23/2019
Outcome In Progress

4. Other Information

Comments

Call from Dan re: his work at Walmart. Updated him that VRC tried to call Walmart Sunnyside for two days and no answer. Dan reported that he was having the same issues. He talked to one of the assistant managers and was told that Cynthia, manager, will be there today. Management was out all last week. He has tried to call her today and no one is answering the phone. He then called district manager and was told to keep trying. He finally called the Kennewick store and spoke to a member of regional management there who told him that he needed to go through the proper channels. He explained what he had done so far and the manager agreed to call Cynthia himself and have her call Dan. VRC agreed to stop by the store tomorrow if VRC has not heard anything from Cynthia. VRC asked if morning or afternoon would be better. He thinks morning would be better. Will await a call from him if Cynthia calls today.

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*****CONFIDENTIAL FOR AGENCY USE ONLY*******Department of Services for the Blind****Actual Service****Participant** Garcia, Daniel Jaime
Caseload YAK01 - Davis, Brooke**Participant ID** 1687**1. Service Description****Service Category** Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call from Dan re: VRC's meeting**2. Service Provider****Service Provider** Davis, Brooke**3. Service Detail****Units** 0.50
Start Date 09/24/2019
End Date 09/24/2019
Outcome In Progress**4. Other Information****Comments**

Received a call from Dan re: VRC's meeting at Walmart and his conversation with Cynthia, store manager. Dan reported that when he did not hear from Cynthia as he was told he would he called her again. He felt that she was defensive from the start. Dan stated that he was told that he had still not turned in the ADA paperwork, which he did through the eye doctor to Sedgewick, their disability management company. He went through how that had happened and how he directed the doctor to send it directly to Sedgewick after he signed it. Dan also got very upset when he was told that he had basically resigned. He indicated that this was not the case and that he has no intention of resigning. Dan indicated that they seem to want him to just go away and he is very upset. VRC let him know what happened when VRC dropped in twice. It should also be noted that while Cindy indicated that Cynthia had been trying to contact VRC all day, despite VRC noting that VRC would be away from the office, there was only one call at 11:02 am on VRC's log and no vm. Dan stated that he was not sure what he wanted to do. He is considering getting an attorney and looking at his options should they choose to terminate him. VRC asked that he just let VRC know how he wants to proceed and VRC will update him once VRC has talked to Cynthia.

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Actual Service

GARCIA v. WALMART, INC.

EXHIBIT

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CASE NO. 1:22-cv-3003

Participant Garcia, Daniel Jaime
Caseload YAK01 - Davis, Brooke

Participant ID 1687

1. Service Description

Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Returned to Walmart to see store manager

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 1.50
Start Date 09/24/2019
End Date 09/24/2019
Outcome Completed Goals Not Achieved

4. Other Information

Comments

Traveled back to Sunnyside Walmart to meet with Cynthia store manager. VRC again asked customer service and waited for approx. 15 minutes for someone to respond. Eventually Cindy, risk manager, came to customer service and indicated that Cynthia had been calling VRC all day to let VRC know that she would not be available to meet at this time. She is on a conference call. However, Cindy indicated that she was familiar with the case and could help VRC. VRC explained that VRC would rather speak to Cynthia as to date nothing has been accomplished with persons who are not in a position to make decisions regarding his work. Cindy indicated that she was concerned about Dan and his ability to do his work as he has had numerous accidents including black eyes from running into poles in his work area. She suggested that Dan has requested that they move the poles to accommodate him. VRC explained the services that DSB can provide and that they are at no cost to Walmart to facilitate his return to work. VRC gave examples of headlight for darker areas and wearable magnifier. Cindy indicated that these would be outside of the Walmart uniform and may not be allowed. VRC explained that these were reasonable accommodations that were of no issue to anyone else and would not interfere with his ability to do his normal duties just as corrective lenses would be. She disagreed. She also indicated that Dan had not filled out the ADA paperwork. VRC let her know that he had and had submitted it quite a while ago. VRC asked what their process would be. She stated that they would ask that he be evaluated for what accommodations are needed (she would not give a clear answer as to who

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Actual Service

Participant Garcia, Daniel Jaime

Participant ID 1687

Caseload YAK01 - Davis, Brooke

would do that evaluation) and then they would determine if he could do his normal job, or if they had a job that would fit within his accommodations. VRC noted that DSB could do the accommodation assessment and this was not well received. VRC was given the job description for Dan's regular job and shown out of the store. Cindy indicated that she would have Cynthia call VRC. There is no direct number to Cynthia. VRC noted that the customer service does not answer the phone, and asked that Cynthia call VRC as VRC has been unable to get through to the store.

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Participant Garcia, Daniel Jaime
Caseload YAK01 - Davis, Brooke

Participant ID 1687

1. Service Description

Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Contact with Dan re: Walmart update

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.50
Start Date 10/14/2019
End Date 10/14/2019
Outcome Completed Goals Achieved

4. Other Information

Comments

Received a vm from Dan re: his employer. VRC called back and Dan indicated that he had talked to Cynthia, store manager at Walmart in Sunnyside. Dan became tearful and was a little difficult to understand. He indicated that his understanding is that they feel that he is a liability and could get himself hurt or others doing his old job. They do not know if they have a job available and will have to look at options. They are also not a fan of him using his magnifier. Cynthia is telling him that VRC has not returned their messages. Let him know that VRC has not gotten a single message from them. They have called once and VRC saw on caller ID and called back and left message for Cynthia to call. No call back. He talked to an attorney, who feels that he has a good case for discrimination. He is unsure what he wants to do at this point. He feels that he might not want to return to an employer who does not seem to trust him, but he also wants to fight for his work as it is important to him. Cynthia is supposed to call him back this afternoon. He will call next week once he has made a decision. VRC let him know that DSB supports him whatever he decides and can help if Walmart will allow.

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Department of Services for the Blind

Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. Service Description

Actual Service ID 7153
Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call to Dan re: plan due

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.50
Start Date 10/28/2019
End Date 10/28/2019
Outcome Completed Goals Achieved

4. Other Information

Comments

Called Dan and asked for update on his contact with Walmart. Dan indicated that he had been in contact with Walmart the last time 10/21 at which time he gave them ideas for duties that he thought he could do. He was told that they were missing some paperwork, but he did not know what and they did not tell him. He has not heard from them since. He is trying to be patient to wait to call. VRC explained the deadline for his plan and that we needed to get a plan signed or close. He agreed to signing a plan assuming that he will go back to work. He is optimistic about this. We agreed to meet on 10/30 at 10:30 am at his home and go over the plan.

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Department of Services for the Blind

Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Davis, Brooke

Participant ID 1687

1. Service Description

Plan	1
Service	5
Service Category	Counseling & Guidance - Vocational
Service SubCategory	Vocational Counseling and Guidance
Description	Meeting with Dan re: work update and plan review

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units	2.00
Start Date	11/06/2019
End Date	11/06/2019
Outcome	Completed Goals Achieved

4. Other Information

Comments

Traveled to Sunnyside and met with Dan at his home to discuss any update from Walmart and sign his plan in person. Dan reported that he has been in contact with both Sedgwick (manages Walmart's disability leave) and Walmart. He is getting conflicting messages and basically has learned that he should have been offered work back in August and Walmart has not responded to the information Sedgwick has sent them. He believes that he will hear from Walmart soon, but will keep trying to get a hold of them. VRC reminded him that if they allow, VRC can come on-site and assist with accommodation. VRC will go ahead with requesting an ASA and LVE to get ahead of what needs he might have now that plan is in place. Went over the plan in person and Dan signed.

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Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. Service Description

Actual Service ID 7696
Plan 1
Service 5
Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call with Daniel re: his interaction with Walmart

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.50
Start Date 11/18/2019
End Date 11/18/2019
Outcome Completed Goals Achieved

4. Other Information

Comments

Received a vm from Daniel and called him back. He was quite upset and indicated that he was tired of dealing with Walmart and had gone in and quit. He felt that they were not going to help him or allow him to have help to return to his job, and was tired of getting the run around from them. Daniel became tearful discussing that his wife was upset that she was having to work long hours so that they do not lose their home. By leaving he believes that he can access more money. VRC asked if he had spoken to his attorney. He had not, but was considering do so. VRC was not sure what would happen at this point with his DSB services, but agreed to contact him as soon as there is more information. Daniel is interested in possibly attending OTC to gain skills of blindness. Will set up a tour if we continue his current services.

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CASE NO. 1:22-cv-3003

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. General

Entry Date 11/20/2019
Author Davis, Brooke
Category Correspondence
Share Note No

2. Note

Summary Email to OTC

Emailed Jim Portillo at OTC and asked for a tour schedule and when Daniel could come over to do that. Also asked that the typing test be after the tour as he is coming from Sunnyside.

3. Activities Provided

No items selected

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Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. Service Description

Actual Service ID 8225
Plan 1
Service 5
Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Call from Dan re: dates that VRC visited Walmart

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.50
Start Date 12/16/2019
End Date 12/16/2019
Outcome In Progress

4. Other Information

Comments

Received a call from Dan stating that he talked to his attorney and EEOC and he will be filing a lawsuit against Walmart. He is wondering when VRC visited Walmart and VRC looked up and provided that data to him. VRC asked about OTC and if he is still interested. He is and would be willing to start as early as 1/6/20. VRC asked about a date for a tour and he could go on 12/30. VRC will check to make sure that this will work and will get back to him.

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Actual Service

Participant Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan

Participant ID 1687

1. Service Description

Actual Service ID 8290
Plan 1
Service 5
Service Category Counseling & Guidance - Vocational
Service SubCategory Vocational Counseling and Guidance
Description Contact with OTC re: tour

2. Service Provider

Service Provider Davis, Brooke

3. Service Detail

Units 0.25
Start Date 12/17/2019
End Date 12/17/2019
Outcome Completed Goals Achieved

4. Other Information

Comments

Contacted Jim Portillo at OTC and asked if 12/30 would work for a tour of OTC. He responded and indicated that it should work and copied Deja Powell and Christel Hustad who will contact Dan and set it up. Provided his phone number.

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Department of Services for the Blind

Actual Service**Participant** Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan**Participant ID** 1687**1. Service Description**

Actual Service ID	9041
Plan	1
Service	5
Service Category	Counseling & Guidance - Vocational
Service SubCategory	Vocational Counseling and Guidance
Description	Call to Dan re: his OTC tour and attending

2. Service Provider**Service Provider** Davis, Brooke**3. Service Detail**

Units	0.50
Start Date	01/21/2020
End Date	01/21/2020
Outcome	Completed Goals Achieved

4. Other Information**Comments**

Called Dan and asked him about his tour at OTC. He indicated that it went well. He was a little nervous about the flight. He was fine getting there, but had to ask for additional help in finding his flight on the way home. While at OTC, he had a good tour and acknowledged that he needed to learn O and M as well as keyboarding. They felt that it would be helpful for him to start this process now. VRC asked if they mentioned to him when they will have an opening. He understood June as the first possible opening. VRC will check on this and make sure that the referral is in place. Will have ROMER and ATS visit him and start training process.

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Actual Service**Participant** Garcia, Daniel Jaime
Caseload YAK01 - Ortiz, Juan**Participant ID** 1687**1. Service Description**

Actual Service ID	9559
Plan	1
Service	7
Service Category	Assessment - Disability
Service SubCategory	Adaptive Skills Assessment
Description	Adaptive Skills Assessment, Braille offered, Daniel is interested in learning

2. Service Provider**Service Provider** Bailey, Kristen**3. Service Detail**

Units	4.00
Start Date	02/06/2020
End Date	02/06/2020
Outcome	Completed Goals Achieved

4. Other Information**Comments**

THIS ASSESSMENT WAS ACTUALLY TAKEN ON 2/5. LATE POSTING AS ROMER IS IN TRAINING AND WAS AWAITING CRITIQUE

ADAPTIVE SKILLS ASSESSMENT

Participant: Daniel Garcia
VRC: Brooke Davis
Age: 56
Assessor: Kristen Bailey, COMS
Date: 02/05/2020

GOALS (ADL, O& M, VR):

Participant Report

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Printed 04/12/2022

Walker, Esther - 004

GARCIA v. WALMART, INC.

EXHIBIT**163**

CASE NO. 1:22-cv-3003

CONFIDENTIAL

*****CONFIDENTIAL FOR AGENCY USE ONLY*******Department of Services for the Blind****Actual Service****Participant** Garcia, Daniel Jaime**Participant ID** 1687**Caseload** YAK01 - Ortiz, Juan

Difficulty navigating work area/unfamiliar areas
Would like to attend OTC

VISION AND OTHER SENSORY SYSTEM:

How would you describe your vision?

Participant's description of functional vision: Very light/dark sensitive, photophobic, eyes adjust very slowly. Requires magnification to read written materials, reports 10 degrees of visual field. Can see letters below big E. He states there is a remaining bit of vision on the left side that can see light. Most of his life he has had NLP in right eye. Daniel says that vision fluctuates a lot that near and distance is the same. His eyes get tired easily, and he doesn't really see color (RP, Right: NLP Left: 20/125-1 26 "full blown cataracts at 26" He had steroid shots strengthen the eye, now the doctor says the retina is too thin

How are your other senses?

Hearing: good

Tactile: good

Olfactory: good

Additional Information: good at sensing and recognizing voices

HEALTH

Do you have any other health issues besides your vision? If so, do you take medications? If more than one, how do you tell them apart?

No other issues ("healthy as a horse, blind as a bat") watch what he eats

ORIENTATION & MOBILITY

Difficulty navigating new areas

Do you feel you get around safely in and outside of your home? Daniel says he doesn't turn lights on when he is home as he feels less frustrated by loss of vision when he isn't trying to use it at all. With the lights on sitting across the kitchen table looking at someone, he can see the top of their head and nothing else.

Travels safely in home, grounds around home: Daniel states he gets around his home safely; "no bruises from coffee table or anything." He takes out the garbage and gets his mail, but doesn't do much traveling outside the home unless he's with his wife. He says he was still mowing his lawn last October, but lost vision from stomach virus stopped him from being able to see well enough

What is your favorite lighting condition? Least favorite?

Daniel prefers the light right after it rains, says overcast is best. Sitting at his kitchen table looking outside at his backyard, he said could barely see the fence approximately 40 feet away on clear day. He stated every lighting is different and every lighting "sucks".

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Travels independently in all lighting conditions: No, needs assistance
Do stairs and curbs come out of nowhere?
Detects surface and elevation changes: Daniel walks with his wife when traveling outside the home and she alerts him of surface changes.
TECHNOLOGY: Daniel has figured out voice over on a basic level. He is making it work but could probably use training.
Has had previous O& M training? If yes, what was covered: no previous training. He has a cane but does not know how to use it.
OTC: went to visit OTC, Jim called Daniel and spoke about coming to school. Can't type, needs to learn the skills.
Knows self-protective & human guilde techniques: no
Uses echolocation: no
Plans travel routes: with help from his wife
Crosses streets using auditory clues and traffic patterns: needs lessons, crossed streets near his house. Used shoreline with his feet to walk downtown. Waited for "all quiet", crossed at stop signs
Understands use of the walk button: yes
Advocates for APS:
Modes of transportation: gets rides
Uses dog guide: no
Wants dog guide schools information:
Has emergency kit/contact for dog guilde:

PERSONAL ADJUSTMENT

Support System: His wife is supportive and wants him to go to the OTC. He doesn't get to see her very much throughout the day. Daniel stated he only sees her 5-10 minutes when she gets home from work before she goes to bed.

Are you aware of NFB or Washington Agency for the Blind, etc?

Consumer group information: He is aware

Emotional impact of vision loss: (Adjustment counseling desired?) Receives regular counseling for depression and anxiety

COMMUNICATION

How do you take notes?

Methods of noting appointments, phone numbers, addresses:

Methods of general note taking:

Voting challenges:

Methods of Communication:

Keeping appointments: Told wife about appointment, but also he memorized it. Asks siri what day it is.

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Handwriting: no

Bold pen: no

Writing guides: Daniel was given a signature guide

Are you a braille user? If so, are you up to UEB code? (Offer Hadley courses for the self-motivated or 1:1 work with Joy Iverson if appropriate—Joy needs a test if that is their choice)

Uncontracted braille: no, interested in learning

Contracted braille: no

Computer or Notetaker: no

Digital recorder- (Olympus DS-50, Victor Stream, cell phone, etc.):

Digital Recorder training:

Daniel would like to go to OTC and learn these things, says he's 99% sure he is going to do it. Now that he's not working it's a good time. He was told he could go in the beginning of June (by Jim?) but when he visited they said they were full. Ask Brooke about schedule

Cell phone use has already been addressed in AT eval: He uses siri mostly, has some familiarity with voice over

If it has not been addressed in AT eval yet, then:

Cell phone manufacturer, model and cell service provider:

Reads cell phone screen: (Lighting/Magnification/Voiceover/Talkback)

Uses menu functions:

Uses directory assistance exemption:

Are you interested in Washington Talking Books service?

Uses Talking Books: he's got it already

Uses NFB Newsline (news of major cities):

Uses DVS (digital voice service, call Comcast, turn on audio description):

Resources:

Lifeline

Are you interested in discounted phone and internet on a sliding income scale? If yes: Lifeline Program: <http://www.lifelinesupport.org/lis/default.aspx>

Companies associated with Lifeline:

<http://www.lifelinesupport.org/lis/companies/CompanyListing.aspx?state=WA&stateName=Washington>

Voting challenges:

*WA is voting by mail state

Voters Pamphlet

Audio and plain text files of the voters' pamphlet are available online at www.vote.wa.gov. If you don't have online access, audio files are available on CD or USB through subscription. To join, please contact the Elections Division at (800) 448-4881 or email voterspamphlet@sos.wa.gov.

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Provide name, telephone number, mailing address and if you prefer a CD or USB.

Accessible Voting Machines

Accessible Voting Units, AVUs are available 18 days before Election Day until 8 p.m. on Election Day. Every county has at least one AVU at each voting center. AVUs must be wheelchair-accessible and screened from other voters to maintain privacy.

Selections are made on AVUs by touching the screen, using a select wheel, or by using a tool. You can also use headphones and listen to your ballot. Machines can be fitted with sip-and-puff tools.

The AVU makes it possible for you to make and change your vote before casting your ballot. You will be alerted if you have made too many selections (overvote). In the case of visually impaired voters, an audio warning is provided. AVUs provide a paper record that can be used in the case of an audit or hand recount.)

Braille

Needs UEB changes document? If yes: To receive a braille copy of The UEB Reader, free of charge, contact Kim Charlson at kim.charlson@perkins.org with your name and address for mailing purposes. Requests for the UEB Reader including your name, address, and phone number can also be left on the UEB Information Line at 617-972-7248.

Interested in training in UEB?

Contact Braille teacher, Carrie Lampel, at the OTC for the start date of the next UEB class for current EBAE users. Carrie.lampel@dsb.wa.gov

For self-study, consider signing up for Hadley's UEB courses for EBAE users.

PERSONAL MANAGEMENT

Daniel is well groomed and clean cut. He manages his personal hygiene quite well.

ID's medication containers: Doesn't take medication

Are you interested in a talking/low vision thermometer?

Method of taking temperature: Help from his wife

Method of shaving: shaves in the shower, does it by feel

Method of trimming finger & toe nails:

Method of brushing teeth:

(If needed inquire about deodorant, soap, toothpaste, floss and frequency of use)

TIME MANAGEMENT

Method of telling time: phone

Method of setting alarm: phone, TV remote guide

CLOTHING MANAGEMENT

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Can you make an outfit?

White clothes in one hamper, darks in the other

Identifies clothing colors: says he doesn't, but has mostly dark colored clothes

Sorts socks: all black but they are different types, he sorts by feel

Sometimes wears different colored shoes

Needs interview/work clothes:

Interested in pre-threaded needles for mending and buttons?

Threads needles:

Has threading training and supplies:

Needs washer and dryer marked: got a machine that isn't digital so it's easier to operate with tactile sense

FOOD MANAGEMENT

How do you feel in the kitchen? (check it out for yourself)

Uses microwave safely and independently: new microwave, getting to know it, tries not to get frustrated, marked with bump dots

Uses stove top safely and independently: makes eggs, uses edges on the pan, waits for eggs to make contrast, glass top stove, uses feel to tell where burner is

Uses oven safely and independently: doesn't bake

Knows location of fire extinguisher, knows how to maintain it:

Uses Foreman grill or other counter top cooker:

Has adequate kitchen lighting:

Organizes kitchen and locates items:

Uses knives to chop vegetables or fruit safely and efficiently: chopping potatoes, feels confident with knife skills, over peels it to make sure no dark spots

Methods of measuring: (cups/ spoons)

Methods of pouring liquid (LLI): interested in one of those

Uses timer: (kitchen timer) uses his brain

Determines when food is cooked to FDA recommended temperature: (Talking food thermometer)

Determines when food is spoiled:

How do you manage in low lit restaurants?

Comfortable dining in restaurants/community: goes with wife, breakfast always gets the same thing

Reads menu at table or wall: wife reads to him

Reads instruction/information on food packaging: no

Grocery store: needs training getting assistance

FINANCIAL MANAGEMENT

Method of identifying paper money: uses debit card, separates cash in wallet, asks wife

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Method of identifying coins: can tell with ridges

Method of accessing bills and statements: auto-withdrawal for most bills, otherwise calls

Method of record keeping: talks to bankers, calls on the phone to check

Has accessible calculator: asks Siri

Resources:

Eligible individuals may apply for the iBill currency reader by completing the application English [PDF: 154.19 KB / 2 p.]

U.S. Currency Reader Program call 1-844-815-9388.

EyeNote APP: <https://itunes.apple.com/us/app/eyenote/id405336354?mt=8>**IDEAL CURRENCY APP:**<https://play.google.com/store/apps/details?id=org.ideal.currency&hl=en>Do you have federal student loan debt? If yes, are you interested in learning if you are eligible for total loan discharge? If yes, here is the contact information for you to learn more about this:
US Department of Education, TPD (Total & Permanent Disability Discharge)1-888-303-7818 (8:00 a.m. - 8:00 p.m. {ET}, 7 days a week) <https://disabilitydischarge.com/>**HOME MANAGEMENT**

Methods of cleaning home: Daniel says he does not clean windows or sweep, but otherwise does a lot of cleaning on his own

Shuts off utilities:

Maintains smoke/carbon monoxide detectors:

Does yard work: no longer does yard work since he lost more vision in October

Resources:

Accessible emergency preparedness information:

1-(800) 621-3362 <https://www.ready.gov/individuals-access-functional-needs>

Smart911.com (permits emergency location more quickly when calling by cell phone)

SUMMARY

Daniel presents clean cut and very cheerful. His home was very clean as well. He makes his own food, makes his bed, separates his clothing darks from lights, vacuums upstairs, bleaches kitchen, cleans washroom and bathroom, and cleans/dusts panels on door. He is very thorough. Says no one taught him how to clean he figured it out himself. He has been living with low vision since he was a child, knowing that at some point he could lose more of his vision, even all of it, and feels he has been preparing for this moment his whole life. He has been able to come up with many of his own strategies to navigate and accomplish tasks, including shore-lining the side of the road by walking with one foot on the asphalt and one foot on the gravel to maintain line of direction, systematic cleaning skills, completing tasks with feel, using appearance of glare to see

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how he coats a pain with oil and the contrast of the egg yolk turning white against the black pan to know his eggs are done. He recently quit his job working in the warehouse at Wal-Mart as he felt he was getting pushed out—he was asked to sign a new job description and told that he might be let go because of his vision. He stated he endured harassment from co-workers and management would not address it. He became frustrated with the situation and quit, though this caused him a great deal of stress for a few days after, as Daniel prefers to be busy and would rather be working than not. He felt he was successful with his duties at Wal-Mart, stacking things by feel. He bought himself a cane and a magnifier at Edith Bishel, though he has had no training in how to use the cane, and the magnifier is no longer useful to him. He states this is because he has lost more vision in the past year, and he feels this happens when he has an illness. After a stomach virus last October, he stopped mowing his lawn, as he felt he no longer had enough remaining vision. It is recommended he have cane tip options for travel, as currently he has only a pencil tip. He should have a rolling ball tip for snow travel and a rolling marshmallow tip for use with constant contact technique. He would like a liquid level identifier to measure the level of hot liquids. He states he feels confident with all other cooking skills and does not desire training in that area at this time. He would like to attend OTC, saying he is 99.9% sure he will do so, but isn't sure what the next step is to make it happen. He would like to work on mobility skills including cane skills and street crossing in the meantime.

RECOMMENDATIONS

O& M: It is recommended Daniel receive O& M lessons to learn proper cane technique, street crossing and route planning skills as well as any assistance he might need at a potential new job.

AT: Recommend AT assessment

The following can be sent directly to Daniel:

Maxi-Aids:
Easy Say Stop Audible Liquid Level Indicator
Item# : 65462
Price : \$7.95

MAXI Aids
Rolling Ball tip
SKU MT4060
Price: \$7.95

MAXI Aids
Rolling Marshmallow tip

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SKU MT4090

Price: \$9.40

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